

REMARKS

Claim 1, 8, 12-15, 18, and 20-24 are pending in the application. Claims 2, 3, 5-7, 9-11, 16-17 and 19 were canceled previously. Features of claim 2 have been added to new claim 1. Claims 1, 20 and 22 are the only independent claims.

Claims Rejections - 35 U.S.C. §§ 102 and 103

Independent claims 1 and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by **Yashina**, U.S. Patent No. 5,068,643.

Independent claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over **Yashina** in view of **Middlemiss**, US. 5,068,643.

Dependent claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over **Yashina** in view of **Graf** (Encyclopedia of Electronic circuits, vol.3, page 413, Fig. 67-6).

Dependent claims 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over **Yashina** in view of **Graf** (Encyclopedia of Electronic circuits, vol.2, page 4, Fig. 1-5).

Dependent claims 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over **Yashina** in view of **Mackenzie**, US. 5,493,278.

Dependent claims 18, 21, 23 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over **Yashina** in view of **Middlemiss**.

Claim 1 In response to the rejection of the claim under 35 U.S.C. § 102(b), Applicants have amended claim 1 to provide a better definition of the invention. Among other amendments, new independent claim 1 has been redrafted so as to additionally recite the features described in original claim 2 which was previously canceled.

Amended claim 1 is now specifically directed to a roll-up portable valuables case holding a predetermined number of valuables including to a security device, comprising: at least one battery, at least one light-responsive means installed in the portable valuables case for detecting a reduction in an amount of light falling on the portable valuables case and energized by said at least one battery upon control of a customizable key, a signal transmitter unit installed in said portable valuables case, a control device for said signal transmitter unit, a control means electrically connected to said at least one light-responsive means and arranged to control said signal transmitter unit, a remote receiving unit arranged to receive signals transmitted by said transmitter unit, an alarm system located in said remote receiving unit, and an alarm control means for said alarm system arranged to be controlled by said remote receiving unit and said control means to induce said alarm system to generate an alarm upon a reduction in an illumination level at said light responsive means and independently of whether all of the valuables are disposed in said portable valuables case.

Applicants respectfully maintain that claim 1 as amended distinguishes the invention over the prior art and particularly over the disclosures of **Yashina** in a non-obvious way, as it will become apparent from the following remarks.

Yashina discloses a theft prevention device including an optical sensor for detecting a level of ambient light and a vibration sensor for detecting a vibration of a protected article. The theft prevention device of **Yashina** further includes an alarm system operatively coupled to the optical sensor and to the vibration sensor for emitting an alarm when the optical sensor detects a change in the level of ambient light from relative brightness to relative darkness and the vibration sensor detects a vibration of the protected article.

Yashina does not disclose a roll-up portable valuables case as claimed in new independent claim 1. More in detail:

(a) From a structural point of view, **Yashina's** device includes a vibrating sensor, essential for the functioning of the device and which is not present in the invention of new claim 1. Such vibrating sensor is a component which clearly increases complexity and production costs.

From a functional point of view, such vibrating sensor is used to energize the optical sensor of **Yashina's** device. As said, the alarm system of **Yashina** is activated when the optical sensor detects a change in the level of ambient light from relative brightness to relative darkness and the vibration sensor detects a vibration of the protected article. Therefore such alarm activation happens in an automatic manner and is not controllable by the user. Instead, in the invention of new claim 1, the light-responsive means installed in the portable valuables is energized by the battery upon control of a customizable key when, for example handled by a shop clerk, thus in a selective manner and dependently from the shop clerk's identity.

(b) Differently from new claim 1, the device of **Yashina** does not disclose the use of a customizable key as of the roll-up portable valuables case of new claim 1.

(c) Moreover, differently from **Yashina**, the new claim 1 explicitly claims a roll-up portable valuables case comprising a security device and not a generic anti-theft device associated to a generic *tag* (col.17, line 61 and Fig.1 and 28 of **Yashina**) or *case* (col.8, line 63 of **Yashina** and Fig.29).

(d) Finally, contrary to new claim 1, the device of **Yashina** is always associated to one single protected article and not to a predetermined number of valuables as is the case of new claim 1.

It is seen that **Yashina** does not disclose all the features of the roll-up portable valuables case of new claim 1. Therefore, the invention of new claim 1 shall be considered to be new over **Yashina**. Moreover, none of the prior art documents discloses such a "roll-up portable valuables case" product which is therefore novel over the prior art.

Furthermore, the novel roll-up portable valuables case leads to results which are advantageous over the prior art. More in detail:

(a) The functionality of the vibrating sensor of **Yashina**, which detects the movement of an article handled by any user, is different from the functionality of the customizable key of new claim 1 which activates in a selective manner the light-responsive sensor depending if the roll-up portable valuables case is handled 1) by the shop clerk alone or 2) also by the customer. In case (1), the clerk may wish to disengage the alarm system when, for instance, the roll-up case is placed inside a safe or a drawer. The customizable key of new claim 1 is therefore solving a different technical problem than the vibrating sensor of **Yashina's** device. The vibrating sensor of **Yashina** solves the problem of activating a light-responsive sensor in response to any movement independently from the user's identity, while the customizable key of new claim 1 solves the

problem of activating a light-responsive sensor in response to an active selection from the shop clerk, so as to allow the handling of the roll-up case also for other reasons than showing valuables to the customer (i.e. inventory or cleaning). Therefore it is seen that the teachings of the security device disclosed in **Yashina** cannot be interchangeably applied, by the skilled in the art, to build a roll-up valuables case as claimed in new claim 1.

(b) The device of **Yashina** relates to a different application field than the roll-up portable valuables case of new claim 1. In fact, **Yashina** describes a security device mounted on article *tags* or on *cases for compact disks* (col.17, line 61, col.8, line 63, Fig.1, 28 and 29 of **Yashina**) which are most probably used in commercial facilities, such as for example department stores, where the customer herself/himself handles the article without the presence of a department store clerk. Instead, the roll-up portable valuables case of new claim 1 has been specifically designed to be used in commercial facilities, such as for example shops, where the shop clerk shows the roll-up portable valuables case to the customer and has direct control on the alarm system of the roll-up portable valuables case.

(c) Furthermore, new claim 1 relates to a roll-up portable valuables case. The skilled in the art finds no hint or suggestion on such a container in any of the prior art relied on by the Examiner, whether considered in isolation or in combination with one or more other prior art documents.

(d) Moreover, for the sake of completeness, Applicants respectfully point out that the key disclosed in **Dagle**, U.S. Patent No. 5,068,643 (document relied on by the Examiner on the First Office Action of January 27, 2003) differs from the customizable key of the roll-up portable valuables case of new claim 1. **Dagle** discloses a double-through four pole key operated switch for turning "ON" and "OFF" the central alarm system of a bank connected to photocell devices, positioned beneath stacks of treasury bills located in money compartments at teller's cages. The key of **Dagle** is inserted in the morning by a monitor operator for disconnecting the distant alarm system of the bank (col. 4, line 33 of **Dagle**). Instead, the customizable key mounted on the roll-on portable valuables case of new claim 1 is designed to energize only the specific security device of the specific roll-on portable valuables case upon clerk's request, even several times in a working day, and not to connect/disconnect the **central** distant alarm system of the store as is the case of the **Dagle**.

(e) In addition, Applicants respectfully point out that the skilled in the art could have not found any indication in **Yashina** that points to **Dagle** in order to combine the device of **Yashina** with the key of **Dagle** in order to reach the roll-on portable valuables case of new claim 1.

In fact, **Dagle** discloses an alarm system of a bank, connected to photocell devices positioned beneath stacks of treasury bills located in money compartments at teller's cages, which is activated upon robbery of all of the treasury bills of a teller's cage by detecting an increase in incident light. Thus, the disclosures of **Dagle** are distant from the roll-on portable valuables case of new claim 1 and from the anti-theft device of **Yashina** for the following reasons:

(i) The alarm system of **Dagle** is activated upon impact of light on the photocells of the teller's cage during a robbery and not upon light reduction as is the case of the optical sensor of new claim 1 and of **Yashina**.

(ii) Furthermore, the application field of **Dagle** is an anti-robber system of a bank and not a security device for commercial facilities articles to be handled by the customers as is the case of the application field of new claim 1 and of **Yashina**.

(iii) In addition, the roll-up portable valuables cases of new claim 1 and **Yashina's** device and, contrary to the bank's teller cage of **Dagle**, are both meant to be portable.

(iv) Finally, the optical sensors of new claim 1 and of **Yashina**, contrary to the optical sensors of **Dagle**, are energized by a battery which allow the item to be portable.

As a consequence of the foregoing remarks, Applicants respectfully submit that all the features of the invention of new claim 1 are not taught or hinted to in **Dagle** and cannot be regarded as obvious deriving from the teachings of **Yashina**.

Claims 20 and 22 In response to the rejection of claim 22 under 35 U.S.C. § 102(b) and of claim 20 under 35 U.S.C. § 103(a) , Applicants have amended the claims to provide a better definition of the invention.

Amended claim 20 is directed to a roll-up portable valuables case holding a predetermined number of valuables including a security device, comprising: at least one electric power source; an alarm system electrically connected to said power source, said alarm system comprising at least one light-responsive means that is installed in the portable valuables case for detecting a reduction in an amount of light falling on the portable valuables case and is energized by said electric power source upon control of a customizable key and by a reduction in environment lighting levels, thereby generating at least one control signal for energizing said alarm system; and a battery charge detection circuit indicating a charge level of said electrical power source.

Amended claim 22 is directed to a roll-up portable valuables case holding a predetermined number of valuables including a security device comprising: at least one battery mounted to the portable valuables case; at least one light-responsive means installed in said portable valuables case for detecting a reduction in an amount of light falling on the portable valuables case and energized by said at least one battery upon control of a customizable key; an alarm system; and control means operatively connected to the at least one light-responsive means and said alarm system for controlling same to emit an alarm upon a reduction in the amount of light falling on said at least one light-responsive means and independently of whether all of the valuables are disposed in said portable valuables case.

As the Examiner can notice, claims 20 and 22 have been amended similarly to claim 1 so as to introduce details concerning the *roll-up portable valuables case* and of the *customizable key*. Therefore, the same remarks on novelty and non-obviousness of claim 1 apply to claim 20 and to claim 22. As a consequence, Applicants respectfully submit that all the features of the invention of new claim 20 and 22 are not taught or hinted to in **Dagle** and cannot be regarded as obvious deriving from the teachings of **Yashina**.

Conclusion

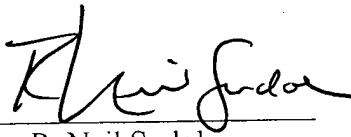
For the foregoing reasons, independent claims 1, 20, and 22, as well as the claims dependent therefrom, are deemed to be in condition for allowance. An early Notice to that effect is earnestly solicited.

Should the Examiner believe that direct contact with applicants' attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

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